IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 152 OF 2006

Ankush Ramchandra Jadhav.] .. Petitioner

Versus

1. Jogeshawari Education Society & ors.] .. Respondents

Mr. M.P. Vashi for the petitioner.

Mr. Neel Helekar i/b Haresh Mehta & Co. for the respondents No.1 and 2.

Mr. V.M. Phal, AGP, for respondent No.3.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 06TH MARCH, 2006

P.C. :

. The petitioner approached this Court principally contending that his suspension is illegal and further contending that whilst in employment he was not given the proper pay scale and consequently, he is entitled to the difference in salary.

2. Subsequent to the filing of this Petition, the Management has terminated the service of the petitioner pursuant to which the petitioner has already preferred an Appeal. The only issue, therefore, that will remain

is about the salary which the petitioner was entitled to whilst in service. The other connected issue according to the learned counsel is that as the suspension was illegal, he is entitled for salary for that particular period. Considering the controversy, it would not be possible for this Court at this stage to exercise extra ordinary jurisdiction insofar as the termination is concerned. Insofar as salary is concerned, whether it be before termination or for the period of suspension, it would be open to the petitioner to move the Education Officer within a period of four weeks from today and the Education Officer, if such representation is received, to decide the same after hearing the petitioner and the Management and dispose of the representation at any rate not later than 8 weeks from the receipt of the representation.

3. With the above direction Writ Petition stands disposed of.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]